UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/1997/NGO/7
21 February 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-third session
Item 8 (a) of the provisional agenda

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR: TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Written statement submitted by the Friends World Committee for Consultation (Quakers), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1295 (XLIV).

[30 January 1997]

Torture and ill-treatment of recruits in government armed forces

1. For many years, Friends World Committee for Consultation (Quakers), which represents Quakers from around the world, has worked on the issues of conscientious objection to military service and the recruitment of children into the armed forces. During the course of this work we have become increasingly aware of and concerned about the inhuman and degrading way in which many recruits are treated.

2. The use of torture and ill-treatment by the armed forces on others has been the subject of attention by human rights bodies. The corresponding use of torture, inhuman and degrading treatment and punishment within the armed forces themselves is overdue for attention.

3. The problems may be divided into four categories: abusive recruitment procedures; initiation rites; general harassment; and official practices. However, it is not always possible to tell where one category ends and another begins.

4. Recruitment procedures: In some countries recruitment itself is forcibly being conducted by means of abduction, threats or press-ganging. The military forces conduct systematic sweeps of poor urban and rural areas collecting military age (and under-age) youths and forcing them into trucks to be taken away. The victims of such recruitment are often beaten and insulted - treatment which frequently continues during the journey to the barracks - and communication with families prohibited both at the time of recruitment and for several weeks afterwards.

5. Initiation: A variety of brutal and humiliating rituals are practised on new recruits by military forces the world over. The degree of ill-treatment varies from minor annoyances to practices resulting in death or permanent physical or mental damage. Examples include: being forced to hand over personal belongings; being expected or required to clean toilets and rooms shared with older soldiers; others kicking over a rubbish bin so that the cleaning has to be repeated; deprivation of food for varying lengths of time; being asked to pay for privileges (such as being allowed out in the evening) or subjected to violent beatings before being allowed them; having the firmness of the stomach checked by repeated jumping onto it; being forced to imitate an aeroplane by hanging between two beds; being required to masturbate in front of room-mates; being sexually assaulted, including rape; mental abuse, including humiliation and denigration; the application of caustic materials to the anus and genitals; being covered with a liquid mixture of human excrement, saliva and dead rodents; being forced to drink blood, eat raw meat, and even ritual cannibalism. The sexual violence cited is inflicted on men. Where women are also in the armed forces the problems of rape, sexual assault and sexual harassment are compounded.

6. General harassment: Some of the same kinds of treatment may continue beyond the initiation stage and form part of a continuing pattern of harassment. Such behaviour often takes place at night when there is not adequate control by superiors, and is complicated by the fact that older recruits may be of higher rank, making new recruits reluctant to challenge such "orders", and indeed encouraging them to think that this is a legitimate part of military service. In fact, harassment and intimidation may be seen as an alternative way to establish discipline among the newly arrived recruits. Moreover, there is a tendency for the cycle to be self-perpetuating since conscripts who are badly treated tend to behave in the same way to the next intake.

7. Official policies: As an institution the armed forces clearly need to ensure physical fitness and military discipline within its ranks. There is a need to examine the limits of what is acceptable and compatible with human rights standards. In any case, it is hard to see what possible military purpose is served by procedures which cause deaths (directly or self-inflicted), permanent physical disablement or mental damage so severe as to require institutionalization, whether under the guise of "toughening up" or as punishment. Nevertheless, many instances of just such results have been

brought to our attention from different countries and regions of the world. Such activities fall into three categories: exhausting physical activities creating unbearable muscular strain; blows and physical punishments such as punching, hitting with various instruments, kicking and burning; and psychological maltreatment such as threats, constant jeering, insults, sleep and food deprivation.

8. That such treatment as outlined above is allowed to happen, or systematically practised, in a State institution raises questions about human rights and governmental responsibility. That in most instances the impunity of these budding torturers is total, makes it imperative for the international community to take action. That human rights provisions apply to members of the armed forces is not open to doubt. As early as 1976, the European Court of Human Rights established the principle of the application of the European Convention on Human Rights to service personnel. 1/ Similarly, the Human Rights Committee has considered the question of ill-treatment of recruits when considering the reports of States parties to the International Covenant on Civil and Political Rights. 2/

9. Friends World Committee for Consultation therefore urges the Commission on Human Rights to request the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake a thorough study of the treatment of recruits (both conscripts and volunteers) in government armed forces with a view to:

(a) Examining the compatibility of such treatment with international human rights standards;

(b) Considering how the human rights of recruits can be better protected; and

(c) Considering the consequences of torture, inhuman and degrading treatment for the recruits, the subsequent behaviour of the armed forces and of the recruits when they return to civilian life.

Notes

1/ See the case of Engel and Others, Eur. Court H.R., Series A, Vol. 22, Judgement of 8 June 1976.

2/ See for example Human Rights Committee, Comments on the report of the Russian Federation (CCPR/C/79/Add.54), para. 21.